

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael Schirner et al.

Serial No.: 10/088,866

Examiner:

Sheela J. Huff

Filed: July 2, 2002

Group Art Unit:

1643

Title: Antibody dye conjugates for binding to target structures of angiogenesis in order to intraoperatively depict tumor peripheries

**DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Patents
12 Jan. 2003
Frist:

Sir:

I, Dr. Kai Licha, being duly warned, declare that:

I am the same Kai Licha that signed a "Declaration" on July 17, 2007, in this application.

It has been brought to my attention that the scFv antibody portion, named as "A" in Conjugates 1 - 5 of the Declaration and in the title on page 2 of the Declaration, has not been identified.

This scFv (single chain Fv antibody portion or fragment (also known as a single chain antibody)) was in Conjugates 1 and 5 the scFv known as L19 (e.g., Viti et al., Cancer Research 59, 347-352, Jan 15, 1999) and in Conjugates 2, 3 and 4, the scFv was L19 linked to cis Tag. The structure L19-cis Tag being known as AP39.

I presently certify that the cis Tag moiety has no measurable effect on either immunoreactivity or fluorescent quantum yield on the Conjugates 2, 3 and 4.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

January 07, 2009

Date

Kai Licha

Dr. Kai Licha